



CEC Entertainment
1707 Market Pl Blvd Suite 200, Irving, TX 75063
phone 972.258.8507 :: fax 214.496.9635

December 9, 2022

64thgamerbusiness@gmail.com

RE: Notice of Intellectual Property Infringement

To Whom It May Concern:

CEC Entertainment Concepts, L.P. d/b/a Chuck E. Cheese ("CEC", "our", "us", "we") has proudly served as the nationally recognized leader in family dining and entertainment and the place Where A Kid Can Be A Kid®. As the award-winning, number-one, kid-friendly restaurant for millions of families across the world, the company and its franchisees operate a system of more than 500 Chuck E. Cheese stores located in 47 states and 18 foreign countries and territories. We have acquired extensive rights, including a nationwide reputation for quality goods, services and other goodwill, in the copyrights, and trademark/service marks for the words Chuck E. Cheese and various character designs (the "CEC Intellectual Property"). We have also invested a substantial sum in using and maintaining the CEC Intellectual Property, including the goodwill now associated with it. Thus, we do not tolerate any defamation or infringement of the CEC Intellectual Property. It has come to CEC's attention that you are programming and preparing to published software utilizing and displaying the CEC Intellectual Property without our express authorization which can be found on YouTube at the following link:

<https://www.youtube.com/@The64thGamerRR>

While we appreciate what appears to be your being a fan of Chuck E. Cheese, we cannot permit unauthorized uses of the CEC Intellectual Property.

CEC has registered and secured trademarks in its various names and designs. For example, the CHUCK E. CHEESE trademark, Reg. No. 1203974, has been registered since 1982. CEC has many other registered and common law trademarks ("CEC Trademarks"). Your illegitimate use of the CHUCK E. CHEESE Trademarks violates our valuable federal rights in the CHUCK E. CHEESE Trademarks and is actionable under Sections 32 and 43(a) of the U.S. Trademark Act, 15 U.S.C. §§1114 and 1125(a) respectively. The statutory remedies under the Trademark Act include: (i) injunctive relief to compel your compliance, (ii) the right to divest you of all financial profits you unjustly received as a result of the infringing conduct, (iii) payment of the CEC's attorneys' fees and costs to enforce its trademark rights, and (iv) because you are infringing on a registered trademark, a tripling of all recoverable damages. Your use of the CEC Trademarks in commerce have already caused a number of reported instances of actual confusion. As a direct consequence of your unauthorized actions, CEC has suffered and will continue to suffer significant monetary damages, as well as irreparable harm that cannot adequately be compensated for by money damages.



CEC also astutely registers its copyrights in order to take advantage of the statutory damages available each time a copyright is violated. Every display or use of the infringing character designs which contains copyrighted material registered with the U.S. copyright office exposes you to statutory damages as well as actual damages.

We, therefore, demand that you immediately cease and desist the proposed and continued use of the CEC Intellectual Property, and that you immediately agree to cease any further infringing activities. Please confirm in writing of your agreement to cease and desist by no later than the end of the day December 14, 2022.

If you fail to comply with this demand, but to pursue the appropriate legal and equitable remedies and proceed with the filing and service of that lawsuit upon you. I trust that you recognize the seriousness of this offense and will immediately comply with our cease and desist demand. This letter is written without prejudice to any and all rights and remedies available to CEC, all of which are hereby expressly reserved.

Sincerely,



David A. Deck
Vice President, Legal & Compliance